## IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,	) CASE NO. 8:13CR395
Plaintiff,	
vs.	) TENTATIVE FINDINGS
LORI JENKINS,	)
Defendant.	<b>'</b>

The Court has received the Revised Presentence Investigation Report and Addendum ("PSR") in this case and the Defendant's objections (Filing Nos. 74 and 75) and statement (Filing No. 76) regarding the PSR. The Defendant also filed a motion for departure or variance (Filing No. 77). The government filed a response to the Defendant's objections and adopted the information and materials contained in the PSR. (Filing Nos. 81.) See Order on Sentencing Schedule, ¶ 6 (Filing Nos. 62 and 72) and Text Order (Filing Nos. 79). The Court advises the parties that these Tentative Findings are issued with the understanding that, pursuant to *United States v. Booker*, 543 U.S. 220 (2005), the sentencing guidelines are advisory.

## IT IS ORDERED:

- 1. Defendant's Objections to Presentence Investigation Report (Filing Nos. 74 and 75) and the government's Response to Defendant's Objections to Revised Presentence Investigation Report (Filing No. 81) will be addressed at the sentencing hearing;
  - 2. The Court intends to adopt the PSR in all other respects;
- 3. If **any** party wishes to challenge these tentative findings, the party shall immediately file in the court file and serve upon opposing counsel and the Court a motion

challenging these tentative findings, supported by (a) such evidentiary materials as are

required (giving due regard to the requirements of the local rules of practice respecting the

submission of evidentiary materials), (b) a brief as to the law, and (c) if an evidentiary

hearing is requested, a statement describing why an evidentiary hearing is necessary and

an estimated length of time for the hearing;

4. Absent submission of the information required by paragraph 3 of this Order,

my tentative findings may become final;

5. The Defendant's Motion for Departure/Variance (Filing No. 77) will be heard

at sentencing; and

6. Unless otherwise ordered, any motion challenging these tentative findings

shall be resolved at sentencing.

DATED this 9<sup>th</sup> day of July, 2014.

BY THE COURT:

s/Laurie Smith Camp Chief United States District Judge

2